

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

James Gatewood Blakely,)	C/A No. 5:12-cv-410-RMG-KDW
a/k/a James G. Blakely,)	
a/k/a Jimmy G. Blakely;)	
)	
Plaintiff,)	
)	Report and Recommendation
v.)	
)	
Michael McCall, D Bush, S Clayton, et al.,)	
)	
Defendants.)	
)	

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. On March 22, 2013, Defendants filed a Motion to Dismiss. ECF No. 64. On April 2, 2013, Plaintiff filed a Motion for Extension of Time requesting additional time to respond to Defendants' Motion to Dismiss. ECF No. 77. Plaintiff's motion for extension was granted on April 3, 2013, and Plaintiff was given until May 29, 2013 to file a response. ECF No. 78. Nonetheless, Plaintiff has yet to file a response to Defendants' Motion to Dismiss.

On July 16, 2013, the court ordered Plaintiff to advise the court by August 2, 2013 whether he wished to continue with the case. ECF No. 106. Plaintiff has filed no response. As such, it appears to the court that Plaintiff does not oppose Defendants' motion and wishes to abandon his action. Based on the foregoing, the undersigned recommends that this action against Defendants be dismissed with prejudice for failure to prosecute, thereby ending this matter. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO RECOMMENDED.

August 21, 2013
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

Kaymani D. West
United States Magistrate Judge